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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/690,344   | 10/20/2003  | Kim Patrick Kobza    | 1118129-0003        | 4221             |
| 7470   | 7590        | 04/12/2006           | EXAMINER            |                  |
| WHITE & CASE LLP<br>PATENT DEPARTMENT<br>1155 AVENUE OF THE AMERICAS<br>NEW YORK, NY 10036 |             |                      | TRUONG, CAM Y T     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2162                |                  |

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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|                              |                               |                              |  |
|------------------------------|-------------------------------|------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/690,344 | Applicant(s)<br>KOBZA ET AL. |  |
|                              | Examiner<br>Cam Y T. Truong   | Art Unit<br>2162             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-31 are pending in this Office Action.

***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 24-28 are rejected under 35 U.S.C.101 because the claimed invention is directed to non-statutory subject matter, specifically, as directed to an abstract idea.

Claims 24-28 recite "a communication module"; however, the communication module is not contained in a computer-readable storage medium. Thus, claims 24-28 are merely abstract idea are being processed without any links to a practical result in the technology arts and without computer manipulation.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-14, 16-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nicastro et al (or hereinafter "Nicastro") (US 2004/00153670 in view of Galdes (US 2005/0038687).

As to claim 1, Nicastro teaches the claimed limitations:

“a server computer operatively connected to a network” as server 1020 is a server program in a computer in a distributed network (paragraph [0098]);

“an information module” as [paragraph [0095], [0318)];

“site management tools module” as (paragraph [0292, 0293]);

“a project team tools module” as (paragraph [0228, 0229]);

“a communications tools module” as (paragraph [0231, 0232]);

“wherein the server computer provides access, following authentication, to one or more of the information module, the project team tools module, the communications tools module, and the site management tools module” as (paragraph [0100]).

Nicastro does not explicitly teach “a communications manager”. Galdes teaches work administration provides tools for managing, controlling and handling discussion and project (paragraph [0104, 0105]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Galdes’s teaching of work administration provides tools for managing, controlling and handling discussion and project to Nicastro’s system in order to control communication among users without time-conflicted for enhancements and improvements in a functions, applications, tools, systems, and other solutions that respond to the circumstances associated with work groups and their work.

As to claim 2, Nicastro teaches the claimed limitation “wherein the information module provides one or more of project overview, recent project changes, and project status” as (paragraph [0315]).

As to claim 3, Nicastro teaches the claimed limitation “at least one software interface for receiving public comments” as (paragraph [0340]).

As to claim 4, Nicastro teaches the claimed limitation “wherein the at least one software interface comprises: a first sub-interface for creating and submitting authenticating an individual” as (paragraph [0258]); and “a second sub-interface for receiving information about the individual” as (fig. 1)

As to claim 5, Nicastro teaches the claimed limitation “wherein the first and second interfaces are presented to the individual in a seamless manner” as (fig. 1, paragraph [0258]).

As to claim 6, Nicastro teaches the claimed limitation “wherein the project team tools module provides one or more of a task manager, related links, a project calendar, an image manager, a document library, a project showcase, a directory, a listing of team members, and electronic communications with team members” as (paragraph [0229]).

As to claim 7, Nicastro teaches the claimed limitation "wherein the communications tool module provides one or more of web conferencing and message board" as (paragraph [0232]).

As to claim 8, Nicastro teaches the claimed limitation "wherein the site management tools module provides one or more of site maintenance, survey maintenance, web trend tools, survey reports, public comment and public comment reports" as (paragraph [0292, 0293]).

As to claim 9, Nicastro teaches the claimed limitation " a backend software interface for interactions with team members, the backend interface comprising: an option for uploading documents and an option for filtering public submissions" as (fig. 7A), "an option for one or more of sorting and searching public submissions, and documents in accordance with a specified search criteria" as (paragraph [0320, 0321]).

As to claim 10, Nicastro teaches the claimed limitation "wherein the site management tools module include screening public submission to identify presence of inappropriate subject matter" as (paragraph [0276]).

As to claim 11, Nicastro teaches the claimed limitation "wherein the identified inappropriate subject matter is sequestered for detailed review" as (paragraph [0276]).

As to claim 12, Nicastro teaches the claimed limitation “wherein the project team tools include searching for public submissions in accordance with one or more of a keyword, a time of submission, an identifier, an idea, a theme, and a vision” as (paragraph [0320, 0321]).

As to claim 13, Nicastro teaches the claimed limitation “wherein the communications management module comprises: shared modular code; and means for responding to different browser implementations by invoking corresponding code” as (paragraph [0233], [0234]).

As to claim 14, Nicastro teaches the claimed limitation “wherein the communications management module further supports Web site maintenance by one or more of updating dynamic text areas, creating Web sites by using templates, handling multiple Web sites by using customizations of at least one shared feature, providing a separate address linked to a Web site for accepting public comments, providing a separate address for accepting comments, automatic font and color adjustments, and supporting substantially unlimited number of active pages” as (paragraph [0343]).

As to claim 16, Nicastro teaches the claimed limitation “wherein the communication management module enables one or more of a public agency, a quasi public agency and an enterprise to manage public comments, managing comments from a select audience, support one or more teams of consultants, agency staff,

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stakeholder organizations relevant to one or more projects at the same time" as (paragraph [0343]).

As to claim 17, Nicastro teaches the claimed limitation " wherein the communication management module provides one or more of a public agency, a quasi public agency and an enterprise electronic project management with work-flow, document and image management, content management, Web-site management, and reporting technologies" as (paragraph [0072]).

As to claim 18, Nicastro teaches the claimed limitation "wherein access is provided at a plurality of levels" as (paragraph [0100]).

As to claim 19, Nicastro teaches the claimed limitation "wherein the plurality of access levels include User Manager for adding and assigning users to projects, Project Manager for creating new projects and having full access to the communications management module, and Team Member for having access to a limited number of modules with read/update privileges" as (paragraph [0100, 0239]).

As to claim 20, Nicastro teach the claimed limitation "a public website maintenance interface for providing access to one or more of project overview, a timeline, a document repository, an events calendar, an image manager, a public comment manager module, and a survey module" as project over view (fig. 1)



As to claim 21, Nicastro teaches the claimed limitation "wherein the communications management module can access the public website maintenance interface via a project site maintenance interface" as (paragraph [0037]).

As to claim 22, Nicstro teaches the claimed limitation "wherein the public comment module includes providing a submitter with one or more of an option of being notified of additional developments and participating in at least one survey" as (paragraph [0162]).

As to claim 23, Nicastro teaches the claimed limitation "comprising modules for one or more of general information about a project, project goals, a project team, public documents, public notices, an image resource library, a project calendar, a project showcase, and a public comment module with one or more of a notification and survey functionality" as (paragraph [0100]).

As to claim 24, Nicastro teaches the claimed limitation

"an information module" as [paragraph [0095], [0318]];

"a project team tools module" as (paragraph [0228, 0229]);

"a communications tools module" as (paragraph [0231, 0232]);

"site management tools module" as (paragraph [0292, 0293]); and

“wherein the communication manager provides access, following authentication, to one or more of the information module, the project team tools module, the communications tools module, and the site management tools module” as (paragraph [0100]).

Nicastro does not explicitly teach “a communications manager”. Galdes teaches work administration provides tools for managing, controlling and handling discussion and project (paragraph [0104, 0105]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Galdes's teaching of work administration provides tools for managing, controlling and handling discussion and project to Nicastro's system in order to control communication among users without time-conflicted for enhancements and improvements in a functions, applications, tools, systems, and other solutions that respond to the circumstances associated with work groups and their work.

As to claim 25, Nicastro teaches the claimed limitation “having a plurality of access levels including User Manager for adding and assigning users to projects, Project Manager for creating new projects and having full access to the communications management module, and Team Member for having access to a limited number of modules with read/update privileges” as (paragraph [0100, 0239]).

As to claim 26, Nicastro teaches the claimed limitation “a plurality of links selected from links to general information about a project, project goals, a project team,

documents, notices, an image resource library, a project calendar, a project showcase, and a comment module” as (paragraph [0293]).

As to claim 27, Nicastro teaches the claimed limitation “wherein the comment module further includes one or more of a notification and survey functionality” as (paragraph [0340]).

As to claim 28, Nicastro teaches the claimed limitation “wherein the single point of entry is provided by requiring authentication of one or more of a username, a password, a encrypted session, and a challenge-response protocol” as (paragraph [0258]).

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter “Nicastro”) (US 2004/00153670 in view of Galdes (US 2005/0038687) and further in view of Julio Estrada (or hereinafter “Estrada”) (US 2003/0135565).

As to claim 15, Nicastro does not explicitly teach the claimed limitation “wherein work product is published on a Website substantially concurrently with its generation to invite comments to complete a feedback loop”. Estrada teaches a message that includes the invitation may have a subject reading such as Welcome to the project, however, the message is filled automatically into the folder for the project, which the user is invited to participate. When a new participant joins a project, he or she may

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need to initialize their copy of the project space with the current contents of the project workspace. The above information indicates the invited user response to the inviting message (paragraph [0113, 0115]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Estrada's teaching of a message that includes the invitation may have a subject reading such as Welcome to the project, however, the message is filled automatically into the folder for the project which the user is invited to participate. When a new participant joins a project, he or she may need to initialize their copy of the project space with the current contents of the project workspace to Nicastro's system in order to invite any user to participant a new project via email system quickly.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter "Nicastro") (US 2004/00153670 in view of Galdes (US 2005/0038687) and further in view of Cochran (US 2004/0030697).

As to claim 29, Nicastro teaches the claimed limitations:

"authenticating a submitter" as (paragraph [0258]);

"receiving a plurality of comments from the submitter" as receiving a plurality of comments (paragraph [0258], [0202]).

Necastro does not explicitly teach the claimed limitations "storing the plurality of comments from the submitter with other comments received at the Web site; retrieving comments by the submitter by carrying out a search; organizing the retrieved comments

chronologically to prepare an updated comment; using the updated comment in a comment report”.

Cochran teaches storing comments at the web and retrieving comments for updating (paragraph [0006], [0054], [0065]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Nicastro’s teaching of storing comments at the web and retrieving comments for updating to Cochran’s system in order to provide a feedback mechanism that enables any user to view a feedback or comments of other users for working on a group project easily and efficiently without conflicting.

8. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Nicastro et al (or hereinafter “Nicastro”) (US 2004/00153670 in view of Galdes (US 2005/0038687) and further in view of Cochran (US 2004/0030697) and sellers (US 5311438).

As to claim 30, Nicastro does not explicitly teach the claimed limitation “wherein a proposed rule is modified in response to the comment report”.

Sellers teaches using the blanket Purchase Order Maintenance conversation is used to maintain blanket orders. The blanket purchase order is a formal agreement with a vendor to provide a specified quantity of material at agree-upon prices over a specified period of time. This conversation may also be used to enter text describing the terms of a blanket purchase order. In clued standard pieces of text and enter

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special terms and comments. These terms and comments print on the blanket purchase order. The above information indicates that the blanket purchase order is modified based on conversion or comments in following time sequence (col. 70, lines 40-61).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply seller's teaching to Nicastro's system in order update a project or profile based on user's requirement without conflicting.

9. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter "Nicastro") (US 2004/00153670 in view of Galdes (US 2005/0038687) and further in view of sellers (US 5311438).

As to claim 31, Nicastro does not explicitly teach the claimed limitation "posting an issue at the public Web site with a specified date for receiving responses; reviewing submissions received on the posted issue at the public Web site; modifying the posted issue in response to the comments prior to the expiry of the specified date for receiving responses; "whereby subsequent responses are directed to the modified posted issue". Sellers teaches to browse the current status and status history of a design request. Use this screen to update a design request's status to rejected, reworked, or commercialized and to maintain comments about a design request. Whenever a design request is updated, the system saves the updated design request with the user's name and the date of update. This serves as an audit trail. When a status is successfully updated, the system sends a predefined electronic mail message to the

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project team; col. 85, lines 30-55). Sellers also teaches using the blanket Purchase Order Maintenance conversation is used to maintain blanket orders. The blanket purchase order is a formal agreement with a vendor to provide a specified quantity of material at agree-upon prices over a specified period of time. This conversation may also be used to enter text describing the terms of a blanket purchase order. Included standard pieces of text and enter special terms and comments. These terms and comments print on the blanket purchase order. The above information indicates that the blanket purchase order is modified based on conversion or comments in following time sequence (col. 70, lines 40-61).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply seller's teaching to Nicastro's system in order update a project or profile based on user's requirement without conflicting.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fliess et al (US 2004/0002887 A1).

**Contact Information**

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cam Y T Truong  
Primary Examiner  
Art Unit 2162  
4/3/2006